

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION**

**GARY S. COX, SR.,**

**PETITIONER**

**V.**

**NO. 1:05CV229-B-D**

**DEPARTMENT OF HUMAN SERVICES, ET AL,**

**RESPONDENTS**

**FINAL JUDGMENT**

In accordance with the opinion issued this day, the instant cause is **dismissed** without prejudice and without evidentiary hearing for failure to exhaust available state remedies.

**IT IS SO ORDERED.**

THIS the 28<sup>th</sup> day of September, 2005.

/s/ Neal Biggers

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SENIOR U.S. DISTRICT JUDGE